

STATE OF ALABAMA
UNIFIED JUDICIAL SYSTEMFORM C-10A
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Rev. 2/95

AFFIDAVIT OF SUBSTANTIAL HARDSHIP

IN THE Circuit COURT OF JEFFERSON, ALABAMA
(Circuit, District, or Municipal) (Name of County or Municipality)STYLE OF CASE: CHARLES T. HALL v. BARBOUR COUNTY SHERIFF'S DEPARTMENT
Plaintiff(s) Defendant(s)TYPE OF PROCEEDING: Civil CHARGE(s) (IF APPLICABLE):

- ☒ CIVIL CASE - I, because of substantial hardship, am unable to pay the docket fee and service fees in this case. I request that payment of these fees be waived initially and taxed as costs at the conclusion of the case.
- ☐ CIVIL CASE - (such as paternity, support, termination of parental rights, dependency) - I am financially unable to hire an attorney and I request that the court appoint one for me.
- ☐ CRIMINAL CASE - I am financially unable to hire an attorney and request that the court appoint one for me.
- ☐ DELINQUENCY/NEED OF SUPERVISION - I am financially unable to hire an attorney and request that the court appoint one for my child/me.

AFFIDAVIT

Section I.

1. IDENTIFICATION

Full name CHARLES T. HALL #159264 Date of Birth 06-01-52
 Spouse's Full Name (if Married) N/A
 Complete home address 100 WARRIOR LANE H-94 - BESSMER, AL. 35023-7299
 Number of people living in household N/A
 Home Telephone number N/A Length of employment N/A
 Occupation/Job PRISONER *Social Security Number 418-74-6619
 Driver's License number N/A Employer's telephone number N/A
 Employer STATE OF ALABAMA
 Employer's address N/A

2. ASSISTANCE BENEFITS

Do you or anyone residing in your household receive benefits from any of the following sources? (If so, please check those which apply)

☐ AFDC☐ Food Stamps☐ SSI☐ Medicaid☐ Other _____

3. INCOME/EXPENSE STATEMENT

Monthly Gross Income: \$ 0
 Spouse's Monthly Gross Income (unless a marital offense) \$ 0
 Other Earnings Commissions, Bonuses, Interest Income, etc. \$ 0
 Contributions from Other People Living in Household \$ 0
 Unemployment/workmen's Compensation \$ 0
 Social Security, Retirements, etc. \$ 0
 Other Income (be Specific) _____ \$ 0

TOTAL MONTHLY GROSS INCOME

Monthly Expenses:

A Living Expenses \$ 0
 Rent/Mortgage \$ 0
 Total Utilities: Gas, Electricity, Water, etc. \$ 0
 Food \$ 0
 Clothing \$ 0
 Health Care/Medical \$ 0
 Insurance \$ 0
 Car Payment(s)/Transportation Expenses \$ 0
 Loan Payment(s) \$ 0

*OPTIONAL

AFFIDAVIT FOR SUBSTANTIAL HARDSHIP AND ORDER

Monthly Expenses: (cont'd page 1)

Credit Card Payment(s)

Educational/Employment Expenses

Other Expenses (be Specific) _____

Sub- Total

B. Child Support Payment(s) Alimony

Sub - Total

C. Exceptional Expenses

TOTAL MONTHLY EXPENSES (add subtotals from A & B monthly only)

\$ _____

Total Gross Monthly Income Less total monthly expenses:

DISPOSABLE MONTHLY INCOME

\$ _____

4. LIQUID ASSETS:

Cash on Hand/Bank (or otherwise available such as stocks, bonds, certificates of deposit)

Equity in Real Estate (value of property less what you owe)

Equity in Personal Property, etc (such as the value of

Motor vehicles, stereo, VCR, furnishing, jewelry, tools,

Guns, less what you owe)

Other (be specific)

Do you own anything else of value? ☐ Yes ☒ No

(land, house, boat, TV, stereo, jewelry)

If so, describe _____

TOTAL LIQUID ASSETS

\$ _____

5. AFFIDAVIT/REQUEST

I swear or affirm that the answers are true and reflect my current financial status. I understand that a false statement or answer to any question

In the affidavit may subject me to the penalties of perjury. I authorize the court or its authorized representative to obtain records of information

Pertaining to my financial status from any source in order to verify information provided by me. I further understand and acknowledge that, if

The court appoints an attorney to represent me, the court may require me to pay all or part of the fees and expenses of my court-appointed counsel.

Sworn to and subscribed before me this

4 day of May, 2005

Bruce O. Willis
 Judge/Clerk/Notary my Comm. Expires 10/12/2008

Charles T. Hall
 Affiant's Signature

CHARLES T. HALL
 Print or Type Name

ORDER OF THE COURT

SECTION II.

IT IS THEREFORE, ORDERED, AND ADJUDGED BY THE COURT AS FOLLOWS:

☐

Affiant is not indigent and request is DENIED.

☐

Affiant is partially indigent and able to contribute monetarily toward his/her defense; therefore defendant is ordered to pay \$ _____ toward
 The anticipated cost of appointed counsel. Said amount is to be paid to the clerk of the court or as otherwise ordered and disbursed as follows: _____

☐

Affiant is indigent and request is GRANTED.

☐

The prepayment of the docket fee is waived.

IT IS FURTHER ORDERED AND ADJUDGED THAT _____, is hereby appointed as counsel to represent affiant.

IT IS FURTHER ORDERED AND ADJUDGED that the court reserves the right and may order reimbursement of attorney's fees and expenses, approved by the court and paid to the appointed counsel, costs of court.

Done this _____ day of _____.

 Judge

IN AND FOR THE CIRCUIT COURT OF JEFFERSON COUNTY
ALABAMA, BESSEMER DIVISION

CHARLES T. HALL #159264

PETITIONER

VS

CASE # _____

BARBOUR COUNTY SHERIFF DEPT.

DEFENDANT

MOTION FOR APPOINTMENT OF COUNSEL

COME NOW, CHARLES T. HALL (PETITIONER) IN THE ABOVE
STYLED-CAUSE, AND PETITIONS THIS HONORABLE COURT FOR
APPOINTMENT OF COUNSEL. THE PETITIONER IS FILING A
HABEAS CORPUS AND CAN NOT BE AT THE PROCEEDING. THEREFORE
THE PETITIONER SAYS THAT JUSTICE WOULD BE BETTER
SERVED WITH AN APPOINTMENT OF LEGAL COUNSEL.

DONE THIS THE 17TH
DAY OF MAY 2005.

RESPECTFULLY SUBMITTED,

X Charles T. Hall
CHARLES T. HALL #159264
100 WARRIOR LANE - H-94
BESSEMER, AL. 35023-7299

IN AND FOR THE CIRCUIT COURT OF JEFFERSON COUNTY
ALABAMA - BESSERMER DIVISION

CHARLES T. HALL # 159264
PETITIONER

-VS.-

CASE # _____

STATE OF ALABAMA,
DEFENDANT.

PETITION FOR ISSUANCE OF A
WRIT OF HABEAS CORPUS

COMES NOW THE PETITIONER, CHARLES T HALL
159264 AND PETITIONS THIS HONORABLE COURT TO
ISSUE A WRIT OF HABEAS CORPUS. THE PETITIONER
SHOWS THE FOLLOWING EXCELLENT GROUNDS WHY THIS
WRIT SHOULD BE ISSUED:

JURISDICTION

ACCORDING TO 15-21-1 OF THE CODE OF ALABAMA.
THE PETITIONER HAS ESTABLISHED THE PROPER
JURISDICTION WITH THIS HONORABLE COURT, by

ADDRESSING THIS PETITION TO THE NEAREST CIRCUIT COURT. PETITIONER IS PRESENTLY INCARCERATED AT THE DONALDSON CORRECTIONAL FACILITY, WHICH IS LOCATED IN WEST JEFFERSON COUNTY, AL.

Grounds:

- (1). PETITIONER IS AN INCARCERATED PERSON AND WAS SO ON APRIL 1ST, 2004, AT THE BARBOUR COUNTY JAIL. PETITIONER IS AND WAS SERVING A TWENTY (20) YEAR SENTENCE.
- (2). PETITIONER WAS PUNISHED FOR WHAT WAS SAID TO BE POSITIVE RESULTS FROM A DRUG SCREENING WITHOUT BEING GIVEN A DUE PROCESS HEARING.
- (3). PETITIONER WAS DENIED THE OPPORTUNITY TO HAVE A BLOOD TEST DONE, AT HIS OWN EXPENSE.
- (4). PETITIONER WAS DEPRIVED OF A GREAT LIBERTY INTEREST IN HIS EMPLOYMENT AT "EQUITY GROUP (EUFALA DIVISION) IN BAKER HILL, AL., WHICH IS A SUBSIDIARY OF KEYSTONE INCORPORATED".

FACTS:

- (1). ON OR ABOUT APRIL 1ST, 2004 PETITIONER WAS ASKED TO PROVIDE URINE FOR A DRUG SCREENING TEST. THE PETITIONER DID AS REQUIRED. THE URINE SAMPLE WAS COLLECTED FROM THE PETITIONER AT APPROXIMATELY 10:50 PM, BY OFFICER LARRY MORRIS, WHO IS A JAILER, AT THE BARBOUR COUNTY JAIL. THE CONTAINER WAS NOT PROPERLY LABELED, OR PROPERLY SEALED. THE CONTAINER WAS PLACED ON THE DISPATCH COUNTER NEXT TO ANOTHER CONTAINER THAT WAS UNLABELED. LATER, PETITIONER FOUND THAT THE OTHER UNLABELED CONTAINER BELONG TO INMATE TERRY LYNN PURSER (SEE EXHIBIT F.). THOSE SAMPLES SAT ON THE DISPATCH COUNTER UNTIL APRIL 2ND, 2004.
- (2.) ON APRIL 2ND, 2004, AT APPROXIMATELY 10:30 AM. PETITIONER WAS TOLD BY INMATE ORLANDO LASSITER (JAIL ADMINISTRATIVE TRUSTEE) THAT THE PETITIONER TESTED POSITIVE FOR COCAINE & AMPHEDAMINES. PETITIONER TOLD INMATE LASSITER THE HE

(PETITIONER) WANTED TO SEE MS. JEAN HARTZOG (JAIL ADMINISTRATOR) ABOUT TAKING A BLOOD SERIUM TEST, AT MY OWN EXPENSE, TO PROVE MY INNOCENCE. INMATE LASSITER LEFT TO INFORM MS. HARTZOG OF MY REQUEST TO SEE HER CONCERNING A BLOOD SERIUM TEST, AT MY EXPENSE. INMATE LASSITER RETURNED APPROXIMATELY 10:50 AM. AND TOLD THE PETITIONER THAT MS. HARTZOG SAID "I DON'T WANT TO SEE HIM, HE IS NOT GOING TO HAVE A BLOOD SERIUM TEST, AND HE IS GOING TO BE LOCKED-UP." AT APPROX. 11:05 AM. OFFICER DERRICK ROGERS AND TOLD THE PETITIONER TO PACK HIS STUFF, THAT HE WAS BEING MOVED TO 1-BLOCK. AT THAT POINT PETITIONER WAS TAKEN OFF OF WORK RELEASE AND PLACED IN 1-BLOCK.

- (3). ON OR ABOUT APRIL 2ND, 2001, PETITIONER FOUND OUT THAT INMATE TERRY LYNN PURSER WAS CHECKED OUT FOR WORK RELEASE AT APPROX 5:30 AM. PRIOR TO THE URINE SAMPLES BEING TESTED. NEITHER OF THE SAMPLES WERE LABELED. INMATE PURSER DID NOT RETURN TO THE JAIL AS SCHEDULED, BUT IN FACT ESCAPED. (SEE EXHIBIT C(3)) PETITIONER

CONTENDS THAT THE URINE TESTED WAS NOT HIS, AND THAT IF COCAINE & AMPHETAMINES WAS INDEED FOUND, IT HAD TO BE IN THE URINE THAT BELONG TO INMATE TERRY LYNN PURSER.

PETITIONER WAS REFUSED THE OPPORTUNITY TO VINDICATE HIMSELF WHEN MS. HARTZOG REFUSED TO ALLOW THE PETITIONER TO HAVE A BLOOD SERUM CONDUCTED ON HIMSELF, IN A TIMELY MANNER, AT HIS OWN EXPENSE. (SEE EXHIBIT G. & C-1-3)

(4). PETITIONER, WAS NEVER GIVEN A "DUE PROCESS" HEARING". BECAUSE OF THAT THE PETITIONER SUFFERED A LOSS OF LIBERTY, WHICH WAS A PAYING JOB AT EQUITY GROUP - EUFALA DIVISION, WHICH IS A SUBSIDIARY OF KEYSTONE INCORPORATED. PETITIONER, GROSS \$ 750.00 TO \$ 900.00 PER WEEK, WHILE BEING ASSIGNED TO COUNTY WORK RELEASE & HALFWAY HOUSE.

PETITIONER HAD BILLS (CAR PAYMENT, PHONE, & RENT) TO PAY. BECAUSE OF THE LOSS OF LIBERTY THE PETITIONER HAD TO SELL FURNITURE, CAR BECAUSE HE COULD NO LONGER MEET HIS OBLIGATIONS. (SEE EXHIBITS D; H-1-7; B-1-8, & C-1-6)

"REMEDY SOUGHT"

- (1) PETITIONER SEEKS TO BE RETURNED TO THE JOB & STATUS HE WAS IN PRIOR TO APRIL 2ND, 2004.
- (2) PETITIONER SEEKS A HEARING IN THIS MATTER
- (3) PETITIONER SEEKS TO BE REIMBURSED FOR THE PAY HE MISSED FROM APRIL 2ND, 2004 UNTIL THIS PRESENT DATE. (SEE EXHIBIT E-1-7)

CONCLUSION:

PETITIONER PRAYS THAT THIS HONORABLE COURT RULES IN MATTER WITHIN THE PROPER TIME FRAME, OR PASS THIS PETITION TO THE BARBOUR COUNTY CIRCUIT COURT.

PETITIONER'S VERIFICATION SUBJECT TO PENALTY
OF PERJURY

I SWEAR UNDER THE PENALTY OF PERJURY
THAT ALL CONTAINED IN THIS PETITION AND EXHIBITS
ARE TRUE AND CORRECT.

EXECUTED ON MAY 17TH 2005

Charles T. Hall

SIGNATURE OF PETITIONER

CHARLES T. HALL #159264

100 WARRIOR LANE - H-94

BESSEMER, AL. 35023-7299

*** IN THE CIRCUIT COURT OF JEFFERSON COUNTY ***

THE STATE OF ALABAMA VS. HALL CHARLES T

CHARLES T HALL
#159254
100 WARRIOR LANE
BIRMINGHAM, AL 35203

CASE NUMBER: CC 2005 000986.60

PARTY NUMBER:

WE RECEIVED YOUR HABEAS CORPUS PETITION ON 6-15-05. THE CASE NUMBER IS CC 05 986.60 AND THE JUDGE IS PETELOS.

NOTICE ISSUED ON: 06/21/2005

CLERK: EARL N. CARTER JR.

(06/21/2005) EMO

FILED IN OFFICE
BESSEMER DIVISION

IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BESSEMER DIVISION

2005 JUL 22 AM 10:24

STATE OF ALABAMA

vs.

Charles T. Hall
DEFENDANT

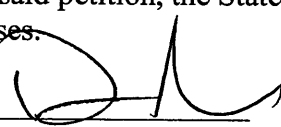
EARL N. CARTER, JR.
CIRCUIT CLERK

CC05-986.6

STATE'S RESPONSE TO HABEAS CORPUS

Comes now the State of Alabama and responds to Defendant's petition for writ of habeas corpus as follows:

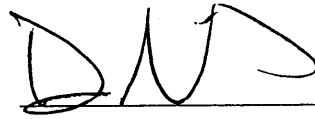
1. The State denies the material allegations contained in said petition
2. The petitioner's detention is legal. The petitioner admits he was lawfully sentenced to twenty years imprisonment, and was allowed to enter a work release program in Barbour County. The petitioner asserts that his participation was improperly terminated due to a false positive or mislabeled urine sample which sample tested positive for cocaine and amphetamines. As a result of this termination, the Defendant was ordered to the custody of the Department of Corrections, where he is now incarcerated at Donaldson Correctional Facility. While the petitioner challenges the positive urine test for cocaine and amphetamines, the petitioner nevertheless admits in his grievance complaint (petitioner's exhibit a (2)) that he also tested positive for marijuana. Petitioner does not challenge this positive test for marijuana. As petitioner knows, the possession and use of marijuana is illegal under the laws of Alabama, and a valid reason to terminate his work release program.
3. Due to petitioner's admission to a positive drug test for marijuana, the court should deny the petitioner's relief.
4. Should the court order a hearing on said petition, the State requests notice of the hearing in order to subpoena witnesses.


David Michaels
Assistant District Attorney

Cert. of Service

I hereby certify that I served a copy of this Motion on the Defendant by regular mail on this the 21 day of July, 2005.

Charles Hall # 159264
Donaldson Correctional Facility
100 Warrior Lane
Bessemer, AL 35023

A handwritten signature in black ink, appearing to be 'CH', written over a horizontal line.

IN AND FOR THE JEFFERSON COUNTY CIRCUIT
COURT - BESSEMER DIVISION

CHARLES T. HALL # 159264,
PETITIONER,

-VS-

CASE NO: CC-2005-000-986.60

STATE OF ALABAMA
DEFENDANT.

PETITIONER'S RESPONSE TO DEFENDANT'S
RESPONSE TO PETITIONER'S "PETITION FOR
WRIT OF HABEAS CORPUS."

COMES NOW, CHARLES T. HALL # 159264 (PETITIONER)
AND RESPONDS TO THE "STATE OF ALABAMA
RESPONSE TO PETITIONER'S PETITION FOR WRIT
OF HABEAS CORPUS.

PETITIONER SAYS THE FOLLOWING:

- (1). ALL OF THE MATERIALS ALLEGATIONS AND FACTS
CONTAINED IN THE PETITION ARE TRUE.
- (2). PETITIONER DOES NOT CHALLENGE THE LEGALITY
OF HIS DETENTION, NOR THE LENGTH OF HIS
SENTENCE. PETITIONER WAS PLACED IN A
HALF-WAY HOUSE AND ON OR ABOUT MARCH
22ND, 2004 HE TESTED POSITIVE FOR MARIJUANA
PETITIONER WAS THEN TAKEN OUT OF THE
HALF-WAY HOUSE PROGRAM AND PLACED ON

PAGE # 1 OF 3

THE COUNTY JAIL LOCK-UP. THE VERY NEXT DAY PETITIONER WAS TAKEN BEFORE JUDGE, SMITHART, AND PETITIONER WAS PLACED ON THE COUNTY WORK RELEASE PROGRAM AS PUNISHMENT FOR TESTING POSITIVE FOR MARIJUANA. PETITIONER DOES CHALLENGE THE URINE TEST DONE ON OR ABOUT APRIL 1ST, 2004, WHERE THE DEFENDANT WAS NOT GIVEN ANY TYPE OF DUE PROCESS HEARING. ALSO PETITIONER CHALLENGES ALL OTHER FACT ENCLOSED IN PETITIONER'S PETITION.

(3). BECAUSE TO REASONS GIVEN BY THE PETITIONER THIS HONORABLE COURT SHOULD GRANT A HEARING IN THIS MATTER. THE ISSUES ARE LENGTHY, AND COMPLICATED. ONLY A HEARING CAN GET TO THE FACTS SURROUNDING THESE ISSUES.

(4). PETITIONER, PRAYS THAT A HEARING BE GRANTED, AND REQUESTS THE SAME LATITUDE AS THE DEFENDANT FOR SUBPOENA OF WITNESSES

Charles T. Hall 159264
CHARLES T. HALL #159264
(PETITIONER)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE SERVED
A COPY OF THIS MOTION ON THE DEFENDANT;

DAVID MICHAELS,
ASST. D. A.

701 COURTHOUSE ANNEX
BESSEMER, AL. 35020

By placing the same in mail at the
DONALDSON CORRECTIONAL FACILITY, POSTAGE
PRE PAID THIS THE 27TH, DAY OF JULY,
2005.

Charles T. Hall
CHARLES T. Hall #159264
100 WARRIOR LAKE - H-94
BESSEMER, AL. 35023-7299

IN AND FOR THE JEFFERSON COUNTY CIRCUIT
COURT — BESSEMER DIVISION

CHARLES T. HALL # 159264,
PETITIONER,

VS.

CASE NO: CC-2005-000986.60

STATE OF ALABAMA
DEFENDANT.

COMES NOW, CHARLES T. HALL # 159264, PETITIONER
IN THE CASE NUMBER ABOVE, AND RESPECTFULLY ASK
THIS HONORABLE COURT TO PROVIDE THE FOLLOWING
REQUESTED INFORMATION; TO INCLUDE COPIES OF
SUCH:

HISTORY

- (1) ON MAY 17TH, 2005, PETITIONER PROPERLY FILED
A "PETITION FOR ISSUANCE OF A WRIT OF HABEAS"
"CORPUS", WITH ATTACHED "EXHIBITS", AND A "MOTION
FOR APPOINTMENT OF COUNSEL".
- (2) THE AFOREMENTIONED MOTION WAS FILED BY THE
HONORABLE COURT CLERK JUNE 15TH, 2005, AT 4:32
PM.
- (3) PETITIONER RECEIVED THE STATE'S RESPONSE ON
JULY 23RD, 2005.

"CONTINUE FROM PAGE # 1"

(4) PETITIONER REQUESTED THE FOLLOWING INFORMATION ON JULY 25TH, 2005, WHICH WAS NEVER PROVIDED:

- (A) CASE ACTION SUMMARY
- (B) NAME AND ADDRESS OF ATTORNEY, IF ONE HAS BEEN GRANTED
- (C) DATE AND TIME OF THE HEARING, IF ONE HAS BEEN SELECTED, BY JUDGE PETELOS.

PETITIONER, IS HEARBY REQUESTING THE SAME AS STATED IN PARA (4), TO ~~BE~~ INCLUDE A FINAL DISPOSITION IN THIS MATTER.

YOUR COOPERATION AND CONSIDERATION IN THIS MATTER, WILL BE GREATLY APPRECIATED.

RESPECTFULLY SUBMITTED

Charles T. Hall

CHARLES T. HALL #159264,
PETITIONER

100 WARRIOR LANE H-66

BESSEMER, AL 35023-7299

DONE THIS THE 25TH DAY OF OCTOBER, 2005

IN AND FOR THE JEFFERSON COUNTY CIRCUIT
COURT - BESSEMER DIVISION

CHARLES T. HALL #159264

PETITIONER,

VS.

CASE NO: CC-2005-000986.60

STATE OF ALABAMA

DEFENDANT.

COME NOW, CHARLES T. HALL #159264 (PETITIONER)
AND RESPECTFULLY ASK THIS HONORABLE COURT CLERK,
EARL N. CARTER JR. TO PROVIDE THE FOLLOWING:

- (1). CASE ACTION SUMMARY
- (2). NAME AND ADDRESS OF ATTORNEY, IF
ONE HAS BEEN GRANTED
- (3). DATE AND TIME OF HEARING, IF ONE
HAS BEEN SELECTED, BY JUDGE PETELOS.

YOUR COOPERATION AND CONSIDERATION IN THIS
MATTER WILL BE APPRECIATED.

RESPECTFULLY SUBMITTED,
Charles T. Hall

CHARLES T. HALL #159264
100 WARRIOR LANE H-94
BESSEMER, AL. 35023-7299

DONE THIS 25TH DAY OF
JULY, 2005.

IN THE ALABAMA APPEALS COURT OF CIVIL APPEALS

EX PARTE: CHARLES T. HALL # 139264
PETITIONER.

RE: CHARLES T. HALL # 139264
PLAINTIFF.

VS

CASE NO: CC-2005-986

STATE OF ALABAMA
DEFENDANT

COMES NOW CHARLES T. HALL, AND PETITIONS THE ABOVE-NAMED COURT FOR A WRIT OF HABEAS TO BESSMER DIVISION OF THE JEFFERSON COUNTY CIRCUIT COURT, AND SHOWS THE FOLLOWING IN SUPPORT OF THIS PETITION.

- (1) ON MAY 17TH, 2005 PETITIONER PLACE HIS PETITION, FOR ISSUANCE OF A WRIT OF HABEAS CORPUS; AFFIDAVIT OF SUBSTANTIAL HARSHSHIP; MOTION FOR APPOINTMENT OF COUNSEL; AND PETITIONER'S APPENDIX OF EXHIBITS. PETITIONER'S PETITION FOR WRIT HABEAS AND OTHER AFORE-MENTIONED DOCUMENTS WERE STAMPED FILED JUNE 13TH, 2005, AND THE PETITIONER'S CASE WAS ASSIGNED TO THE HONORABLE, JUDGE PETERUS THE NOTICE OF FILING ACTION WAS FILED AND ISSUED ON JUNE 21ST, 2005 ON JULY 20TH, 2005 PETITIONER

PLACED A LETTER OF INQUIRY IN THE MAIL HERE AT THE DONALDSON CORRECTIONAL FACILITY FOR THE CLERK OF THE JEFFERSON COUNTY CIRCUIT COURT-BESSEMER DIVISION. I ASKED FOR THE FOLLOWING: CASE ACTION SUMMARY; NAME AND ADDRESS OF THE ATTORNEY, IF ONE HAD BEEN APPOINTED OR GRANTED; DATE AND TIME OF THE HEARING, IF ONE HAD BE SELECTED BY JUDGE PETEOS. PETITIONER RECEIVED THE STATE'S RESPONSE TO THE HABEAS CORPUS ON THE EVENING OF JULY 23RD, 2005 DURING LEGAL MAIL CALL. PETITIONER ANSWERED THE STATE'S RESPONSE AND PLACED A COPY OF THE SAME PROPERLY ADDRESSED TO THE CIRCUIT COURT CLERK AND ASST DISTRICT ATTORNEY, DAVID MICHAELS ON JULY 27TH 2005. AFTER NOT RECEIVING ANY RESPONSE FROM THE CIRCUIT COURT CONCERNING CASE # CC-2005-000-986-60 PETITIONER AGAIN REQUESTED A CASE ACTION SUMMARY; NAME AND ADDRESS OF AN ATTORNEY, IF ONE HAS BEEN GRANTED; DATE OF HEARING, IF ONE HAS BEEN GRANTED; THIS WAS DONE OCTOBER, 04TH, 2005. PETITIONER HAS NOT RECEIVED ANYTHING IE FINAL DISPOSITION OR, ACKNOWLEDGEMENT FROM THE CIRCUIT COURT

(2) "ISSUES PRESENTED"

(A) PETITIONER IS AN INCARCERATED PERSON AND WAS SO APRIL 1ST, 2004, AT THE BARBOUR COUNTY JAIL. PETITIONER IS AND WAS SERVING A TWENTY (20) YEAR SENTENCE

(B) PETITIONER WAS PUNISHED FOR WHAT WAS SAID TO BE A POSITIVE RESULT FROM A DRUG SCREENING WITHOUT BEING GIVEN A DUE PROCESS HEARING.

(C). PETITIONER WAS DENIED THE OPPORTUNITY TO HAVE A BLOOD TEST DONE, AT HIS OWN EXPENSE

(D). PETITIONER WAS DEPRIVED OF A GREAT LIBERTY IN HIS EMPLOYMENT AT "EQUITY GROUP (EUFOLA DIVISION) IN BAKER ~~HILL~~ HILL, AL., WHICH IS A SUBSIDIARY OF KEYSTONE INCORPORATED."

(3) "RELIEF SOUGHT"

(A) PETITIONER SEEKS TO BE RETURNED TO THE JOB AND STATUS HE WAS IN PRIOR TO APRIL 2ND, 2004

(B) PETITIONER SEEKS A HEARING IN THIS MATTER

(C). PETITIONER SEEKS TO BE REIMBURSED FOR THE PAY HE MISSED FROM APRIL 2ND, 2004 UNTIL THIS PRESENT DATE. (SEE EXHIBIT E-1-7).

(4) ~~STATE~~ "REASON THIS WRIT SHOULD BE GRANTED"

(A). A CLEAR LEGAL RIGHT IN THE PETITIONER TO THE ORDER SOUGHT WHERE THE CIRCUIT COURT HAS FAILED TO RESPOND.

(B) AN IMPERATIVE DUTY UPON THE RESPONDENT TO PERFORM, ACCOMPANIED BY A REFUSAL TO DO SO

- (C). THERE IS A LACK OF ANOTHER REMEDY.
- (D) THE JURISDICTION OF THE COURT HAS BEEN PROPERLY INVOKED.
- (5). ENCLOSED IS A COPY OF THE FOLLOWING: AFFIDAVIT OF SUBSTANTIAL HARDSHIP; MOTION FOR APPOINTMENT OF COUNSEL; SEVEN DAY PETITION OF WRIT OF HABEAS CORPUS, IN AND FOR THE CIRCUIT COURT OF JEFFERSON COUNTY-ALABAMA - BESSEMER DIVISION; PETITIONER'S APPENDIX OF EXHIBITS (P.A.E) EXHIBITS A-J. ESSENTIAL TO AN UNDERSTANDING OF THE MATTER SET FORTH ABOVE.

WHEREFORE, THE PREMISES CONSIDERED, PETITIONER PRAYS THAT THIS COURT GRANT THE PETITION AND ORDER THAT AN ANSWER TO THE PETITION BE FILED BY THE RESPONDENTS.

"CERTIFICATE OF SERVICE"

I CERTIFY THAT I HAVE SERVED COPIES OF THIS PETITION ON THE RESPONDENT JUDGE AND

"PAGE # 5"

ALL OTHER PARTIES OF THIS ACTION IN THE CIRCUIT COURT.

Charles T. Hall
CHARLES T. HALL #159264, PRO-SE

100 WARRIOR LANE H-66
BESSEMER, ALABAMA 35023
ADDRESS

STATE OF ALABAMA
COURT OF CIVIL APPEALS

John H. Wilkerson, Jr.
Clerk

Ruby Crowe
Assistant Clerk



300 Dexter Avenue
Montgomery, AL 36104-3741

Phone (334) 242-4093
Fax (334) 242-4017

February 17, 2006


2050379

Ex parte Charles T. Hall. PETITION FOR WRIT OF MANDAMUS (In re: Charles T. Hall v. State of Alabama) (Jefferson Circuit Court: CC 05-986)

TRANSFER NOTICE

You are hereby notified that the following action was taken in the above cause:

Transferred to Criminal Appeals for lack of subject matter jurisdiction.


John H. Wilkerson, Jr.
Clerk, Court of Civil Appeals

COURT OF CRIMINAL APPEALS
STATE OF ALABAMA

H. W. "BUCKY" McMILLAN
Presiding Judge
SUE BELL COBB
PAMELA W. BASCHAB
GREG SHAW
A. KELLI WISE
Judges



Lane W. Mann
Clerk
Sonja McKnight
Assistant Clerk
(334) 242-4590
Fax (334) 242-4689


CR-05-0925

Ex parte Charles T. Hall (In re: State of Alabama vs. Charles T. Hall) (Bessemer Division, Jefferson Circuit Court: CC05-986.60)

ORDER

Upon consideration of the above referenced Petition for Writ of Mandamus, the Court of Criminal Appeals ORDERS that said petition be and the same is hereby denied.

Done this the 23rd day of February, 2006.


H. W. "Bucky" McMillan, Presiding Judge
Court of Criminal Appeals

cc: Hon. Earl N. Carter, Jr., Circuit Clerk
Charles T. Hall, Pro Se
Hon. Teresa Petelos, Circuit Judge
Hon. Troy King, Attorney General
Hon. M. David Barber, District Attorney